



PATENT

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANT(S): Markus Olhofer and Bernhard Sendhoff
APPLICATION NO.: 10/080,742
FILING DATE: February 21, 2002
TITLE: Strategy Parameter Adaptation In Evolution Strategies
EXAMINER: Not yet known
GROUP ART UNIT: 2123
ATTY. DKT. NO.: 23077-06634

COPY OF PAPERS
ORIGINALLY FILED

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, DC 20231, on the date shown below:

Dated: 14 May 2002

By:

John T. McNelis, Reg. No.: 37,186

BOX MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION**

SIR:

Responsive to the Notice to File Missing Parts dated March 18, 2002 received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Declaration;
- ☒ an original, signed Power of Attorney;
- ☐ an Application Data Sheet;
- ☒ payment in the amount of \$130.00 for the
- ☐ application filing fee;

☐ fee for additional claims; and

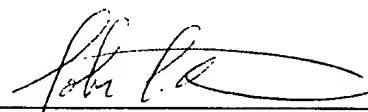
☒ missing parts surcharge.

☐ Other

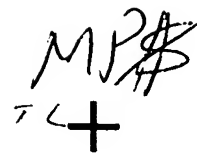
☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,
MARKUS OLHOFFER AND BERNHARD
SENDHOFF

Dated: 13 May 2002

By: 
John T. McNelis, Reg. No.: 37,186
Fenwick & West LLP
Two Palo Alto Square
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Tel.: (650) 858-7133
Fax: (650) 494-1417

23077/06634/DOCS/1266278.1



Approved for use through xx/xx/xx. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

U.S. Department of Commerce
Patent and Trademark Office

*(to be used for all correspondence during pendency of
filed application)*

Application Number	10/080,742
Filing Date	February 21, 2002
First Named Inventor	Markus Olhofer
Group Art Unit Number	2123
Examiner Name	Not yet known

Total Number of Pages in This Submission 8

Attorney Docket Number 23077-06634

☒ Fee Transmittal Form (in duplicate)

☒ Check Enclosed

☒ Return Receipt Postcard

☒ Response to Notice to File Missing Parts

☐ Assignment & Recordation Cover Sheet

☒ Declaration

☒ Power of Attorney

☐ Application Data Sheet

☐ Information Disclosure Statement & PTO-1449

☐ Copies of IDS Cited References

☐ Request for Corrected Filing Receipt

☐ Request for Correction of Recorded Assignment

☐ Amendment/Response: [] Page(s)

☐ After Final

☐ Status Request

☐ Revocation and Substitute Power of Attorney

☐ Issue Fee Transmittal

☐ Letter to Chief Draftsperson

☐ Formal Drawing(s):
[] Sheet(s) of Figure(s) []

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group
(*Appeal Notice, Brief, Reply Brief*)

☐ Certified Copy of Priority Document(s)

☐ After Allowance Communication to Group

☒ Copy of Notice to File Missing Parts

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ORIGINALLY FILED**

REMARKS:

SIGNATURE OF ATTORNEY OR AGENT

Signature:

Attorney/Reg. No.:	John T. McNellis / Reg. No.: 37,186
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Dated:	13 May 2002
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CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.40.

Signature:

Typed or Printed Name:	John T. McNelis
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Dated:	14 May 2002
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Express Mail Mailing Number (optional):



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PTO/SB/17 (10-01)(modified)
OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) U.S. Department of Commerce
Rev. 10/2001 Patent and Trademark Office

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$) 130.00

Complete if Known

Application Number	10/080,742
Filing Date	February 21, 2002
First Named Inventor	Markus Olhofer
Group Art Unit	2123
Examiner Name	Not yet known
Attorney Docket Number	23077-06634

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to:

- ☐ Charge the indicated fees to the below mentioned deposit account.
- ☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †
- ☐ Applicant claims small entity status
See 37 CFR 1.27

Deposit Account Number: 19-2555

Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Other

FEE CALCULATION (fees effective 10/01/2001)

1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$740	201/\$370	Utility Filing	
106/\$330	206/\$165	Design Filing	
108/\$740	208/\$370	Reissue	
114/\$160	214/\$80	Provisional Filing	

SUBTOTAL (1) (\$) 0

2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$84	202/\$42	Independent claims in excess of 3
104/\$280	204/\$140	Multiple dependent claim
109/\$84	209/\$42	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	130
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
147/\$2,520	147/\$2,520	For filing a request for reexamination	
115/\$110	215/\$55	Extension for response within first month†	
116/\$400	216/\$200	Extension for response within second month†	
117/\$920	217/\$460	Extension for response within third month†	
118/\$1,440	218/\$720	Extension for response within fourth month†	
128/\$1,960	228/\$980	Extension for response within fifth month†	
119/\$320	219/\$160	Notice of Appeal	
141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	
142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	
143/\$460	243/\$230	Design Issue Fee	
122/\$130	122/\$130	Petitions to the Commissioner	
126/\$180	126/\$180	Submission of Information Disclosure Statement	
179/\$740	279/\$370	Request for Continued Examination (RCE)	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	
146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	
149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify):

Other fee (specify):

SUBTOTAL (3) (\$) 130.00

(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due
For	No. of Existing Claims	minus*	Highest No. Previously Paid For	Extra**	x		
TOTAL		minus*	20 or 0		x		0
INDEP		minus*	3 or 0		x		0
[] First presentation of multiple dependent claim							0

* Subtract the greater number of Col. 2

** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$) 0

SUBMITTED BY

Typed or Printed Name	John T. McNelis	Complete (if applicable)	
Signature		Reg. Number	37,186
		Date	13 May 2002

23077/06634/DOCS/1266288.1

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/080,742	02/21/2002	Markus Olhofer	23077-06634

00758
FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

COPY OF PAPERS
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CONFIRMATION NO. 8152

FORMALITIES LETTER



OC000000007659890

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Alice Goiter

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/06/2002 ZJUHARI 00000036 10686742

01 FC:105

130.00 DF